

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 15019 of 2004

Between:

S. Ramanamma, W/o. Bramhareddy, Hindu,
Shop No.2, Turpu Yerraballi Village, Kondapuram Mandal, Nellore District.

..... PETITIONER

AND

- 1 The District Collector, Nellore, Nellore District.
- 2 The Revenue Divisional Officer, Kavali, Nellore District.
- 3 The Mandal Revenue Officer, Kondapuram Mandal, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus declare the inaction on the part of the 1st respondent in non passing any orders on the suspension petition filed along with the appeal Dated 17/8/2004 against the proceedings of the 2nd respondent vide RC J 2518/2004 dated 20/7/2004 amounts to erroneous, arbitrary and violative of Arts. 14, 19 and 21 of the Constitution of India and consequently set aside the proceeding of the 2nd respondent vide RC J.No. 2518/2004 Dt. 20/7/2004 and by permitting the petitioner to continue as a Fair Price Shop Dealer, Shop No.2 of Turpu Yerraballi Village, Kondapuram Mandal, Nellore District as usual

Counsel for the Petitioner: MR.T.C.KRISHNAN

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

Petitioner is the fair price shop dealer of Shop No.2, Turpu Yerraballi village, Kondapuram Mandal, Nellore District. His authorisation has been suspended by the Revenue Divisional Officer, Kavali, Nellore District, pending enquiry into the allegations specified thereunder. Against the said order, petitioner has preferred an appeal before the first respondent-District Collector, Nellore, Nellore District on 17.08.2004 along with an application for stay. The grievance of the petitioner is that the first respondent failed to consider his appeal and no orders has been passed even on his application for stay. Hence, this writ petition.

Since the statutory appeal is pending on the file of the first respondent, I am not inclined to express any opinion on the merits of the case. Instead I deem it appropriate to dispose of the writ petition with a direction to the first respondent to dispose of the application for stay filed by the petitioner and pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this order.

Writ petition is accordingly disposed of. No order as to costs.

24-08-2004

Note: Issue C.C. by tomorrow.

B/o

klp

To

- 1 The District Collector, Nellore, Nellore District.
- 2 The Revenue Divisional Officer, Kavali, Nellore District.
- 3 The Mandal Revenue Officer, Kondapuram Mandal, Nellore District.

4 2CCs to G.P. for Civil supplies, High Court buildings,

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